

REMARKS

Claims 1-13 are all the claims pending in the application. Claims 1-13 presently stand rejected.

The Examiner has not indicated receipt of the certified copy of the Priority Document **FR 0007791** filed August 15, 2001. Applicants have provided evidence of the filing of the certified copy of the Priority Document; however, the Examiner is unable to locate the Priority Document in the present application, as it apparently has been lost by the PTO. Therefore, Applicants will obtain another copy of this document, and resubmit it to the PTO at a later date.

Claims 1-5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Igarashi et al. (5,149,732) in view of Keogh (4,407,992) and either Nitta et al. (6,075,086) or Abe et al. (5,296,273).

Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Igarashi et al. (5,149,732) in view of Keogh (4,407,992) and either Nitta et al. (6,075,086) or Abe et al. (5,296,273), and further in view of Shombourg et al. (6,448,343).

Claims 1-3, 5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001.

Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001, and further in view of Schombourg et al. (6,448,343).

Claims 9, 10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001.

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2016016 in view of EP 721001, and further in view of Schombourg et al. (6,448,343).

Analysis

Claims 1 and 9 are the only claims in independent form; therefore, the following discussion is initially directed to these independent claims.

To review briefly, the present invention is directed to an insulating composition for use in the cable-making industry, which is extrudable and curable. The composition of claim 1 includes an amino-silane for curing the basic mixture which includes chlorinated polyolefin. The present invention overcomes the drawbacks previously encountered during the preparation of such compounds.

In particular, the amino-silane reacts directly with the chlorinated polyolefin, without being deactivated in any way by the filler whose moisture content is very low in the basic mixture, so as to be grafted to the chlorinated polyolefin without giving off hydrochloric acid. The extruded composition is cured in the air.

As discussed on page 6 of the specification, this composition has numerous advantages, including providing cables with insulating or sheathing that is lightweight, flexible and less expensive.

Igarashi is directed to a composition for a hose rather than electrical cables. The composition in this patent comprises a silane coupling agent, rather than an amino-silane for

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curing the basic mixture. In chemical technical field, it is known that coupling and curing are different processes with different chemical bindings and final properties. Thus, Igarashi fails to disclose an amino-silane capable of curing the basic mixture, in addition to a treating agent for a mineral filler.

The Examiner turns to Keogh, and Nitta or Abe to supplement the deficiencies of Igarashi. However, the combination of references is not directed to an amino-silane capable of curing the basic mixture of claim 1. Even though each reference may individually disclose an element of the composition of claim 1, there is no teaching or suggestion for providing a type of amino-silane that is capable of curing the basic mixture of the present invention. The process of coupling is completely different than the process of curing, and thus, one of ordinary skill in the art would not have thought to add the type of amino-silane that cures the basic mixture of the present invention. At most, one would have only thought to add an amino-silane coupling agent, not an amino-silane curing agent.

In addition, claim 1 is rejected as being obvious over the combination of GB '016 and EP '001. GB '016 fails to disclose an aminosilane capable of curing the basic mixture of the present invention. The Examiner turns to EP '001 for this teaching. However, the combination of references fails to disclose the recited proportions. Moreover, the cited references do not disclose the important recited order.

Applicant submits herewith a Declaration under 37 CFR 1.132 evidencing the importance of the claimed composition and recited order for preparing the composition.

In view of the foregoing, claim 1 is patentable.

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Claim 9 is directed to a method of preparing the insulating composition of the present invention. The chlorinated polyolefin, the filler and the treatment agent are mixed together and transformed. Then, the amino-silane is added to the transformed basic mixture during extrusion of the basic mixture. This method is important because it allows the amino-silane to react directly with the chlorinated polyolefin without being deactivated by the filler. Thus, it is grafted to the chlorinated polyolefin without giving off hydrochloric acid.

The combination of GB '016 and EP '001 does not disclose the manner in which the ingredients are prepared. In particular, the amino-silane is provided in the present invention for curing the basic mixture. As explained above, the claimed order allows the amino-silane to react with the chlorinated polyolefin to obtain specific benefits. Thus, different results are obtained if the amino-silane is not added to the basic mixture in the recited order.

As noted above, Applicant submits herewith a Declaration under 37 CFR 1.132 evidencing the importance of the claimed composition and recited order for preparing the composition.

In view of the foregoing and the attached Declaration, Applicant respectfully submits that claim 9 is patentable.

The remaining rejections are directed to the dependent claims. These claims are patentable for at least the same reasons as claims 1 and 9, by virtue of their dependency therefrom.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ellen R. Smith
Registration No. 43,042

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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